

City of Sugar Hill
Planning Staff Report
RZ 18-006

DATE: October 31, 2018; **Updated 11/7/2018**
TO: Mayor and City Council
FROM: Planning Director *KK*
SUBJECT: Rezoning RZ 18-006, 360 Residential LLC,
1091 Level Creek Road – Commercial Tract



RECOMMENDED ACTION

Rezone the subject property to general business (BG) in accordance with the following planning commission recommendation as amended.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a scheduled public hearing on September 17 2018. Public hearings for RZ-18-006 & RZ-18-007 were heard at the same time. Applicant representative Carl Westmoreland and Jeff Warsaw spoke on behalf of this request. Citizen Peggy Daniels spoke about affordable housing and the homeless in Gwinnett County, and citizen Susana Landers questioned where her house was in proximity to this development. There were no other public comments.

Planning Commission recommends rezoning the subject property (shown as Tract 1 on the attached concept plan) to general business (BG) with the following conditions:

1. Developer must provide enhanced pedestrian crossings, protected left turn signals and decorative mast arms at Peachtree Industrial Boulevard (PIB) and Spring Hill Drive (subject to coordination with City of Sugar Hill and the Gwinnett Department of Transportation).
2. New crosswalks shall be provided at Springhill Drive.
3. Midblock enhanced pedestrian crossings (raised crosswalk with refuge islands, HAWK, etc...) shall be provided on Springhill Drive or construct a 6' wide sidewalk on the east side of Springhill Drive connecting to Level Creek Road.
4. Installation of restricted crossing u-turn (RCUT) or J-Turn median crossover at project entrance on PIB shall be required prior to receiving certificate of occupancy (subject to coordination with City of Sugar Hill and the Gwinnett Department of Transportation).
5. New crosswalk shall provided across PIB.
6. **Prior to obtaining a building permit New Road A shall be constructed as to the alignment shown on the attached Exhibit C1. New Road A shall be a maximum width of 28' to back of curb.**
7. New sidewalk on PIB and New Road A shall be a minimum of 10' wide. All other sidewalks shall be a minimum 6' width.
8. Two dedicated passenger drop off bays or one two-vehicle bay for rideshare and paratransit services shall be provided on site.
9. Enhanced pedestrian crossing shall be provided at boulevard separating multifamily and retail site.

10. A three-way stop control shall be provided at New Road A and multifamily / retail boulevard.
11. On-site bike racks, dedicated bike lanes and signage on internal access shall be provided.
12. A 35 ft. enhanced landscaped buffer shall be provided between the New Road A and the Level Creek Hollow subdivision **future buildings or parking and service areas associated with the buildings.** The landscape buffer shall provide an opaque screening. If existing plantings are insufficient to provide an opaque landscape screen, then any additional plantings shall consist of at least a staggered double row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be at least 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen of at least 20' in height at maturity. The landscape buffer must not contain more than 30% of a single species and must be shown on a landscape plan to be approved by the City Manager prior to receiving any permits.
13. **The following uses are prohibited: convenience store with or without fuel pumps, adult entertainment businesses/facilities; automotive sales lots and associated service facilities; automobile repair shops and tire stores including lubrication or tune up centers; truck stops; service stations; boarding and rooming houses; contractors equipment depot; restaurants with drive-through service; equipment rental; facilities engaging in the business, trade, or profession of psychic reading, fortune telling, astrology, phrenology, palmistry, clairvoyance, or related practices; adult novelty retail stores; pawn shops; tattoo parlors; vehicle or emission inspections; warehousing; mini-warehouse/personal storage facilities; moving van or truck rental and taxi/limousine queue lots.**

ISSUE The City of Sugar Hill has received an application dated August 6, 2018, from 360 Residential LLC requesting to rezone to general business district (BG) and town center overlay district (TCO) for the ± 7.67 acres at 1091 Level Creek Road.

DISCUSSION

- Peachtree Industrial Boulevard (PIB) is maintained and controlled by Gwinnett County. The county's transportation plan classifies PIB as a principal arterial and further characterizes it as an urban freeway/expressway serving mostly through traffic.
- There is limited retail market potential for this trade area. The city must be selective with zoning for new big-box retail locations. Associated conditions should encourage pedestrian and transit oriented design elements as well as high quality user experience while responding to the context created by the principal frontage occurring along an urban freeway.
- The subject property is a 15-minute walk from the E Center. The property also lies within the existing boundary of the town center overlay (TCO) zoning district and requires design review board approval for the proposed improvements. Should the adjoining property to the north be incorporated into the central business district (CBD) overlay zoning district, the edge along the CBD boundary should be responsive to the CBD overlay design standards.

BACKGROUND

Applicant/Owner:	360 Residential, LLC
Existing Zoning:	Residential Multi-Family District (RM), Highway Service Business District (HSB) and Town Center Overlay District (TCO)
Request(s):	General Business District with Town Center Overlay District (BG/TCO)
Purpose:	Retail commercial.
Property Size:	± 7.67 acres
Location:	Tax Parcel Id Number: A portion of 7-291-021 1091 Level Creek Road.
Public Notice:	Letters to adjoining owners via USPS regular mail on 8/29/18 Sign posted 8/29/18, 10/24/18 Ad in legal section of Gwinnett Daily Post on 8/29/18 & 9/19/18, 10/24/18
Public Comments:	Peggy Daniels spoke about affordable housing and the homeless in Gwinnett County, and Susana Landers questioned where her house was in proximity to this development (9/17/2018).

FINDINGS OF FACT

- North: City of Sugar Hill owned property, Office Institutional (OI) and Level Creek Hollow subdivision, RM.
- South: Across Peachtree Industrial Boulevard, Heavy Manufacturing (HM1).
- East: Along Roosevelt Circle, medium density single family residential (RS100).
- West: Sugar Hill Elementary School, RS-100.

The proposed site plan shows two buildings totaling 61,750 square feet. A total of 309 parking spaces are to be provided. Project access is proposed at a single right-in/right-out driveway on PIB and unrestricted access driveway on Spring Hill Drive. Secondary access to Springhill Drive is provided by a new street proposed along the rear of the property which connects to Level Creek Road.

ZONING ANALYSIS

1. Will the rezoning requested permit a use that is suitable in view of the use and development of adjacent and nearby property?

Yes. The subject property is a little over a half-mile from PIB's intersection with Highway 20 and in close proximity to existing retail and neighborhood commercial services along PIB.

2. Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby properties?

No. Additional landscaping should be required behind the subject property to screen noise and light from the existing Level Creek Hollow single family residential subdivision.

- 3. Does the property for which the rezoning is requested have a reasonable economic use as current zoned?**

Yes.

- 4. Will the rezoning requested create an overcrowding condition with respect to the existing streets, transportation facilities, or schools?**

No. The downtown master plan has indicated insufficient north-south connections between Georgia Highway 20 and Peachtree Industrial Boulevard. The new road proposed to the rear of this property will address this.

- 5. Does the rezoning requested conform to the Sugar Hill Land Use Plan?**

Yes.

- 6. Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?**

No.

